

964195_1
DMH/MLC
March 3, 2010

PATENT APPLICATION
Docket No.: 4012.1000-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Stephen W. Scherer and Berge A. Minassian
Application No.: 10/567,074 Group: 1634
Filed: June 26, 2006 Examiner: Jeanine Anne Goldberg
Confirmation No.: 2296
For: LAFORA'S DISEASE GENE

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
on _____	_____
Date	Signature

Katie Norris	
Typed or printed name of person signing certificate	

DECLARATION OF STEPHEN W. SCHERER AND BERGE A. MINASSIAN
UNDER 37 C.F.R. 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

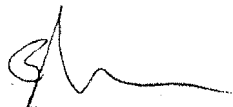
We, Stephen W. Scherer and Berge A. Minassian declare that:

1. We are the co-inventors of the subject matter described and claimed in U.S. Application No. 10/567,074, filed on June 26, 2006 (hereinafter "the application").
2. We understand that to be an inventor under U.S. patent law, one must contribute materially to the conception of the claimed invention.
3. Prior to executing this Declaration, we reviewed the subject application, including the pending claims, and the Chan, *et al.* reference entitled "Mutations in *NHLRC1* cause

progressive myoclonus epilepsy” that was published in October 2003 in Nature Genetics, Volume 35, pages 125-127.

4. We are co-authors along with Elayne M. Chan, Edwin J. Young, Leonardo Ianzano, Iulia Munteanu, Xiaochu Zhao, Constantine C. Christopoulos, Guiliano Avanzini, Maurizio Elia, Cmeraon A. Ackerley, Nebojsa, J. Jovic, Saeed Bohlega, Eva Andermann, Guy A. Rouleau, and Antonio V Delgado-Escueta on the Chan, *et al.* paper.
5. Co-authors Elayne M. Chan, Edwin J. Young, Leonardo Ianzano, Iulia Munteanu, Xiaochu Zhao, Constantine C. Christopoulos, Guiliano Avanzini, Maurizio Elia, Cmeraon A. Ackerley, Nebojsa, J. Jovic, Saeed Bohlega, Eva Andermann, Guy A. Rouleau, and Antonio V Delgado-Escueta carried out certain experiments discussed in the Chan, *et al.* reference under the supervision or direction of one or more of the inventors and/or participated in discussions of the results and conclusions presented therein with one or more of the co-inventors of the subject application and did not contribute materially to the conception of the invention claimed in the subject application.
6. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Stephen W. Scherer

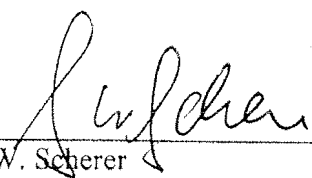


Berge A. Minassian

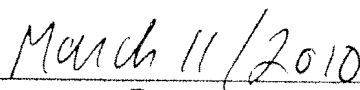
Date

9-3-10

Date



Stephen W. Scherer



Date

Berge A. Minassian

Date